

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. 571-273-0562, on the date shown below.

Date: November 4, 2004

Martina Piscid
Martina Piscid

Docket No.: 415072000600
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ronghao LI et al.

Application No.: 09/545,659

Confirmation No.: 2403

Filed: April 10, 2000

Art Unit: 1651

For: HUMAN OVARIAN MESOTHELIAL CELLS
AND METHODS OF ISOLATION AND USES
THEREOF

Examiner: L. Lankford

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a request to withdraw the holding of abandonment. Applicants believe that the Notice of Abandonment mailed October 13, 2004 was sent in error.

Facts Supporting the Request:

1. The Notice of Allowability (Paper No. 18) dated February 25, 2003 indicated that the drawings filed on April 10, 2000 were accepted by the Examiner. As such, corrected drawings were not submitted and the issue fee was paid.
2. Applicants were not aware the drawings were unacceptable until a Decision on Petition dated September 10, 2004 was received from the U.S. Patent and Trademark Office. The Decision indicated that the Petition to Accept Color Drawings was denied.

pa-932737

Application No.: 09/545,659

2

Docket No.: 415072000600

3. Applicants filed a Response to the Decision on Petition on October 12, 2004 (within the 30-day time period allowed). In the Response, Applicants withdrew the Petition to Accept Color Drawings and submitted substitute black and white photographic figures.

4. A Notice of Abandonment dated October 13, 2004 was sent out for Applicant's failure to timely file corrected drawings within the three-month period set forth in the Notice of Allowability.

Arguments Supporting the Request:

Applicants submit that since the Notice of Allowability dated February 25, 2003 indicated that the drawings were acceptable, and were not aware that the drawings were not acceptable until September 10, 2004, it was not possible to submit corrected drawings within the three-month period set forth in the Notice of Allowability. Further, Applicants responded to the Decision on Petition within the 30-day period to withdraw the Petition to Accept Color Drawings and submitted substitute black and white photographic figures.

pa-932737

Application No.: 09/545,659

3

Docket No.: 415072000600

CONCLUSION

Applicants made every effort to comply with the Patent Office's request to submit corrected drawings and believe that the Notice of Abandonment was sent in error. Accordingly, Applicants respectfully request that the Examiner withdraw the holding of abandonment, and to pass this application to issue.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant(s) petition(s) for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. (415072000600)

Dated: November 4, 2004

Respectfully submitted,

By Sai Zhou
Jic ZhouRegistration No.: 52,395
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304
(650) 813-5922

pa-932737

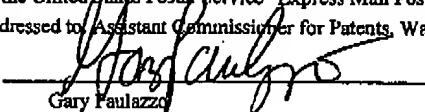
PATENT
Docket No. 415072000600

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL154557996US

Date of Deposit: April 10, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.


Gary Paulazzo

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Rong-hao LI et al.

Serial No.: Not Yet Assigned

Filing Date: April 10, 2000

For: HUMAN OVARIAN MESOTHELIAL
CELLS AND METHODS OF
ISOLATION AND USES THEREOF

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

COPY

**PETITION UNDER 37 C.F.R. § 1.84(b)
TO ACCEPT PHOTOGRAPHIC DRAWINGS**

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicants request the photographs (Figures 1-5), (Figures 3 and 5 in color), be accepted.

pa-471677

The Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this transmittal, or to credit any overpayment, to Deposit Account No. 03-1952.

Respectfully submitted,

Dated: April 10, 2000

By: Thomas E. Ciotti
Thomas E. Ciotti
Registration No. 21,013

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5702
Facsimile: (650) 494-0792



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

COPY

DECISION ON PETITION

In re Application of
Rong-hao LI et al
Serial No. 09/545,659
Filed: April 10, 2000
For: HUMAN OVARIAN MESOTHELIAL CELLS AND METHODS OF ISOLATION AND
USES THEREOF

September 9, 2004

This is a decision on the request for acceptance of color drawings under 37 C.F.R. § 1.84(b) filed April 10, 2000.

The petition has been reviewed and is found **not** to be in compliance with the requirements as set forth in 37 CFR § 1.84 (a)(2) and b (2). Specifically, three sets of color drawings and a statement as to why the color drawings are necessary have not been provided as required by 37 C.F.R. § 1.84(a)(2) and (b)(1). See MPEP 608.01(f).

Accordingly,
PETITION IS DENIED.

Michael G. Wityshyn
Supervisory Patent Examiner
Art Unit 1651

Jie Zhou
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1108



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/545,659	04/10/2000	Rong-han Li	415072000600	2403
25226 7590	09/10/2004			

MORRISON & FOERSTER LLP
 755 PAGE MILL RD
 PALO ALTO, CA 94304-1018

RECEIVED
 SEP 16 2004

Morrison & Foerster, LLP
 755 Page Mill Rd.
 Palo Alto

EXAMINER	
LANKFORD JR, LEON B	
ART UNIT	PAPER NUMBER

1651

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Request for Reconsideration Due - 10
 DOCKETED J
 REMINDER: 9/23/04
 FINAL DUE DATE: 10/9/04

MORRISON & FOERSTER LLP

Attorneys at Law
 755 Page Mill Road
 Palo Alto, California 94304-1018
 Telephone: (650) 813-5600
 Facsimile: (650) 494-0792

To:

NAME:	FACSIMILE:	TELEPHONE:
Cecilia Tsang U.S. Patent and Trademark Office	(571) 273-0562	(571) 272-0562

FROM: Jie Zhou**DATE:** November 4, 2004

Number of pages with cover page: 9

Preparer of this slip has confirmed that facsimile number given is correct: 9013/mxp4**CAUTION - CONFIDENTIAL**

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

Comments:

Attorney Docket No.: 415072000600
 Group Art Unit: 1651
 Examiner: L. Lankford
 Serial No.: 09/545,659
 Filing Date: April 10, 2000
 Inventors: Ronghao LI et al.
 Title: HUMAN OVARIAN MESOTHELIAL CELLS AND METHODS OF ISOLATION AND USES THEREOF

Papers attached:

1. Transmittal Form (1 page)
2. Request to Withdraw Holding of Abandonment (3 pages)
3. Copy of Petition to Accept Color Drawings (2 pages)
4. Copy of Decision on Petition (2 pages)

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL
 MARTINA PLACID AT 650-813-5723 AS SOON AS POSSIBLE.

PA-932975

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

8

Application Number	09/545,659
Filing Date	April 10, 2000
First Named Inventor	Ronghao Li
Art Unit	1651
Examiner Name	L. Lankford
Attorney Docket Number	415072000600